

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DERRICK LEE CARDELLO-SMITH,  
Plaintiff,

Vs

SEAN COMBS,  
Defendant,

FILED  
DEC 10 2024

CLERK'S OFFICE  
DETROIT

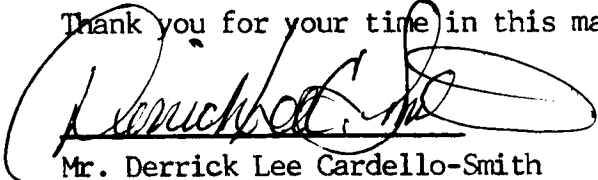
File # 2:22-cv-12647

Honorable Judith Levy

MOTION FOR LEAVE TO FILE THE CORRECTED, UPDATED  
AND TIMELY COPY OF THE PLAINTIFFS ANSWERS TO THE  
DEFENDANTS MOTION TO DISMISS WITH  
(4#) PAGES OF SUPPORTING CASE LAW, DOCUMENTS AND EXHIBITS

now comes the Plaintiff, Derrick Lee Cardello-Smith in the above cause and hereby moves this Court to GRANT LEAVE TO FILE THE CORRECTED, UPDATED AND TIMELY COPY OF THE PLAINTIFFS ANSWERS TO THE DEFENDANTS MOTION TO DISMISS WITH BRIEF IN SUPPORT, 230 PAGES OF SUPPORTING CASE LAW, AND DOCUMENTS and submits the following enclosed Brief in Support detailing why this is necessary, and why the Court should grant it.

Thank you for your time in this matter.

  
Mr. Derrick Lee Cardello-Smith

#267009

Plaintiff in Pro Per

E.C. Brooks Correctional Facility

2500 S. Sheridan Drive

Muskegon, MI 49444

11-27-24

### BRIEF IN SUPPORT

1. Plaintiff was under extreme pressure and was not granted the full 90 days to get his done and had to send the first one without the full copies of everything necessary to support the Claims.

2. Plaintiff had trouble getting access to the law library due to their own scheduling and due to MDOC Staff consistently 'Losing' or Delaying" this Plaintiff Requests for Law Library Scheduling time to research, schedule and prepare the Motion to DImiss.

3. Plaintiff, had many problems getting all the required information from the Other related parties and persons in this matter and had to get this done under many different lock downs and prison fighting and things of that nature that interfered with it and plaintiff did not want to lose the case because of a failure to file or do something.

4. Plaintiff presented the other copy to the court and it was not a complete copy with all the plaintiffs answers and position on the Defendants Motion to Dismiss and it is now as complete as possible under the time limits and the conditions plaintiff has had to be subjected to in this prison and this now submits it to this court.

5. There is no harm to the administration of justice or the courts docket in allowing this Plaintiffs Corrected Updated Copy to this court and to be placed on the Court record.

6. the Defendant will suffer no prejudice by this being allowed as that he has a team of lawyers that have handled everything thus far with no problems and they can handle this as well.

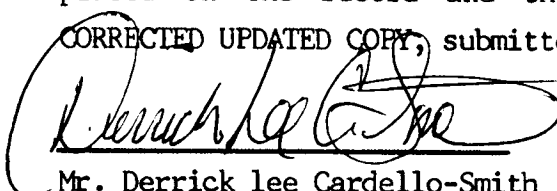
8. Plaintiff asks this court to allow it so that Plaintiff can have everything heard in this court because this matter involves a rape upon this plaintiff by defendant combs and to allow him to get away with it without hearing all the facts would be wrong and prejudicial to this

plaintiff.

Thank you.

RELIEF SOUGHT

Wherefore, Plaintiff prays this court will allow this matter to be placed on the record and the Court to GRANT LEAVE TO CONSIDER THE CORRECTED UPDATED COPY, submitted to this Court.



Mr. Derrick lee Cardello-Smith

#267009

E.C. Brooks Correctional facility

2500 S. Sheridan Drive

Muskegon, MI 49444

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Derrick Lee Cardello-Smith  
#267009  
E.C. Brooks Corr. Facility  
2500 S. Sheridan Drive  
Muskegon, MI 49444  
Mailed on 11-27-24  
Case # 2:24-12647

U.S. MARSHALS

To: Clerk of the Court  
United States District Court  
Theodore Kanter, Clerk  
231 West Wacker Drive  
Detroit, MI 48226

